

EXHIBIT A

Ryan Lee (SBN: 235879)
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 Attorneys for Plaintiff, DANA PASQUALE

**UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE DIVISION**

DANA PASQUALE)	Case No. 4:11-cv-05265-YGR
)	
Plaintiff,)	
)	PLAINTIFF'S RULE 36 REQUESTS FOR
v.)	ADMISSION TO DEFENDANT, SET
)	ONE
LAW OFFICES OF NELSON &)	
KENNARD,)	
)	
Defendant.)	
)	

Propounding Party: DANA PASQUALE, Plaintiff

Responding Party: LAW OFFICES OF NELSON & KENNARD, Defendant

Set Number: One

Plaintiff, DANA PASQUALE, through counsel, and pursuant to Federal Rule of Civil Procedure 36, requests that Defendant, LAW OFFICES OF NELSON & KENNARD, make the below admissions for the purpose of this action only. Plaintiff requests that Defendant's admissions to these requests shall be signed under oath and shall be served and produced no later than thirty (30) days after service of this request, at Krohn & Moss, Ltd., 10474 Santa Monica Blvd., Suite 401, Los Angeles, CA 90025.

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REQUESTS FOR ADMISSION

1. Admit Plaintiff is a "consumer" as defined by 15 USC §1692a(3).

RESPONSE:

2. Admit Defendant is a "debt collector" as defined by 15 USC §1692a(6).

RESPONSE:

3. Admit Plaintiff owed a "debt" as defined by 15 USC §1692a(5).

RESPONSE:

4. Admit Plaintiff owes the debt Defendant is attempting to collect.

RESPONSE:

5. Admit Defendant's primary business is to collect debts incurred from personal, family, or household purposes.

RESPONSE:

6. Admit Defendant "communicated" with Plaintiff as defined by 15 USC §1692a(2).

RESPONSE:

7. Admit Defendant Placed telephone calls to Plaintiff in an attempt to collect a debt.

RESPONSE:

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1 8. Admit Defendant employs or employed an individual named Mark Accordo (either given
2 name or alias).

3 **RESPONSE:**
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5 9. Admit Defendant employs or employed an individual named Michelle Morales (either
6 given name or alias).

7 **RESPONSE:**
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9 10. Admit Defendant called Plaintiff on Plaintiff's home phone within the last year.

10 **RESPONSE:**
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12 11. Admit Defendant failed to identify itself as a debt collector in all telephone
13 communications with Plaintiff in the last year.

14 **RESPONSE:**
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16 12. Admit Defendant failed to identify itself, by Defendant's name, in all telephone
17 communications with Plaintiff in the last year.

18 **RESPONSE:**
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20 13. Admit all telephone calls Defendant made in an attempt to collect Plaintiff's alleged debt
21 are logged in Defendant's account notes.

22 **RESPONSE:**
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24 ///

1 14. Admit Defendant left the first message, which was transcribed and attached as Exhibit A
2 to Plaintiff's Complaint.

3 **RESPONSE:**
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5 15. Admit Defendant left the second message, which was transcribed and attached as Exhibit
6 A to Plaintiff's Complaint.

7 **RESPONSE:**
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9 16. Admit Defendant left the third message, which was transcribed and attached as Exhibit
10 A to Plaintiff's Complaint.

11 **RESPONSE:**
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13 17. Admit Defendant left the forth message, which was transcribed and attached as Exhibit
14 A to Plaintiff's Complaint.

15 **RESPONSE:**
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17 18. Admit Defendant left the fifth message, which was transcribed and attached as Exhibit A
18 to Plaintiff's Complaint.

19 **RESPONSE:**
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21 19. Admit Defendant did not disclose to Plaintiff that it was a debt collector every single
22 communication.

23 **RESPONSE:**
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1 20. Admit every single communication from Defendant to Plaintiff did not disclose
2 Defendant's identity.

3 **RESPONSE:**
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5 21. Admit Defendant failed to identify the nature of the call (debt collection) when
6 Defendant called Plaintiff.

7 **RESPONSE:**
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9 22. Admit Defendant failed to identify itself when Defendant called Plaintiff.

10 **RESPONSE:**
11
12

13 RESPECTFULLY SUBMITTED,

14 DATED: August 1, 2012

KROHN & MOSS, LTD.

15
16 By: /s/ Ryan Lee

17 Ryan Lee
18 Attorneys for Plaintiff
DANA PASQUALE
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PROOF OF SERVICE

I, Ricardo Teamor, state the following:

I am employed in Los Angeles, California; I am over the age of 18 and am not a party to this action; my business address is 10474 Santa Monica Blvd., Suite 401, Los Angeles, CA 90025. On August 1, 2012, I served the following documents:

Plaintiff's Requests for Admission

On the parties listed below:

Nelson & Kennard
2180 Harvard St., Suite 160
Sacramento CA 95815-3314

By the following means of service:

☒ **BY ELECTRONIC MAIL:** I transmitted the document(s) listed above electronically to the e-mail addresses listed above. I am readily familiar with the firm's Microsoft Outlook e-mail system, and the transmission was reported as complete, without error.

☒ **BY MAIL** (1013 a, 2015.5 CCP): I deposited such envelope in the mail at Los Angeles, California. The envelope was mailed with postage thereon fully prepaid. I am readily familiar with the firm's practice for collection and processing correspondence for mailing. Under that practice, this document will be deposited with the U.S. Postal Service on this date with postage thereon fully prepaid at Los Angeles, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

☒ **STATE:** I declare under penalty of perjury under the laws of California that the above is true and correct.

Executed on August 1, 2012, at Los Angeles, California.

By: 

Ricardo Teamor